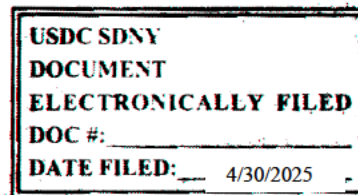


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



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DEVON DALEY,

Plaintiff,

25-CV-00436 (SN)

-against-

ORDER OF TRANSFER

CRETE CARRIER CORPORATION, et al.,

Defendants.

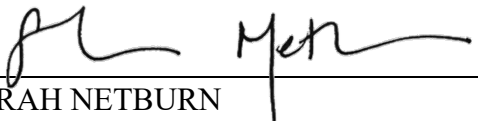
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SARAH NETBURN, United States Magistrate Judge:

Defendants Crete Carrier Corporation and Shaffer Trucking removed this case from the Supreme Court for the State of New York, County of Bronx. ECF No. 1. Defendants removed under 28 U.S.C. § 1332(a) and § 1446 based on diversity jurisdiction. After Defendants removed the action, the parties learned that one necessary Defendant was a resident of New York. See ECF No. 13. Plaintiff amended his complaint, with Defendants' consent, to add this necessary Defendant, thus defeating diversity jurisdiction. ECF No. 20; see also E.R. Squibb & Sons, Inc. v. Accident & Cas. Ins. Co., 160 F.3d 925, 930 (2d Cir. 1998) (explaining that diversity jurisdiction requires that "all of the adverse parties in a suit . . . be completely diverse with regard to citizenship."); Phoenix Four, Inc. v. Strategic Rsch. Corp., 446 F. Supp. 2d 205, 212 (S.D.N.Y. 2006) ("[I]f a single defendant is from the same state as the plaintiff, the district court loses diversity jurisdiction over the entire action.").

Because the Court may no longer exercise subject matter jurisdiction over this case, the case is REMANDED to the Supreme Court for the State of New York, County of Bronx, pursuant to 28 U.S.C. § 1447(c).

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: April 30, 2025
New York, New York